

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ELIZABETH PYLES and RANDOLPH
LEGAIR, individually and on behalf of others
similarly situated,

Case No. 2:20-cv-5755-EAS-KAJ

Plaintiffs,

Judge Edmund A. Sargus
Magistrate Judge Kimberly A. Jolson

v.

AMGUARD INSURANCE COMPANY,

Defendant.

JOINT MOTION TO STAY CASE

Plaintiffs Elizabeth Pyles and Randolph Legair (“Plaintiffs”) and AmGuard Insurance Company (“Defendant”) (collectively, the “Parties”) respectfully request that the Court enter an Order staying all proceedings in this matter to allow the parties to engage in informal settlement negotiations to explore a potential resolution of this matter. In support of this Motion, the Parties state:

1. The Parties’ counsel have begun settlement negotiations with the hopes of resolving this putative multi-state class action lawsuit without further litigation. To that end, the Parties have agreed that Defendant will provide certain claims and Xactimate® data to Plaintiffs’ counsel, including data in the possession of third-parties, all of which takes time to obtain and produce.

2. The Parties hope to avoid the costs and expenses associated with further formal fact and expert discovery as required by the current scheduling order dated February 5, 2021. Dkt. 14.

3. The Parties have agreed that it would be in their respective best interests to stay this case to attempt to resolve this dispute. The Parties therefore respectfully request that the case and

all discovery deadlines be stayed to afford the Parties sufficient time to obtain and exchange the information they deem necessary and appropriate in order to facilitate settlement discussions.

4. The Parties further request that they be permitted to update the Court on the status of settlement negotiations within forty-five (45) days.

5. Public policy supports the compromise and settlement of disputed claims.

WHEREFORE, the Parties respectfully request that this Court enter an Order staying all proceedings in this matter and requiring the Parties to update the Court on the status of settlement negotiations within forty-five (45) days.

Dated: September 20, 2021

/s/ Stephen G. Whetstone (per email
authorization on 09/20/21)
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion was filed with the Clerk of Courts using the ECF system, which will send notification of such filing to all attorneys of record on September 20, 2021.

/s/ Elizabeth E. Cary
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Attorney for Defendant
AmGuard Insurance Company